

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

VICTOR B. PERKINS,

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**
Civil File No. 25-438 (MJD/LIB)

DR. MALISSA KLIEN, et al.,

Defendants.

Victor B. Perkins, pro se.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois dated March 7, 2025. No objections have been filed to the Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); D. Minn. LR 72.2(b). Based upon that review, the Court adopts the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois dated March 7, 2025.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois dated March 7, 2025 **[Doc. 4]**;
2. Plaintiff Victor B. Perkins's Complaint, **[Doc. 1]**, is **DISMISSED without prejudice** under 28 U.S.C. § 1915(e)(2) for failure to state a claim, insofar as it seeks relief under the United States Constitution and 42 U.S.C. § 1985;
3. Plaintiff's state-law claims are **DISMISSED without prejudice** under Rule 12(h)(3) of the Federal Rules of Civil Procedure, for lack of subject matter jurisdiction; and
4. Plaintiff's application to proceed in forma pauperis in this action, **[Doc. 2]**, is **DENIED as moot**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: April 15, 2025

s/Michael J. Davis

Michael J. Davis

United States District Court